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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/699,799

11/04/2003

Kazuo Hiraguchi

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23373

7590

05/30/2006

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EXAMINER

HAUGLAND, SCOTT J

ART UNIT

PAPER NUMBER

3654

DATE MAILED: 05/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/699,799

Applicant(s)

HIRAGUCHI, KAZUO

Examiner

Scott Haugland

Art Unit

3654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 March 2006 and 28 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submissions filed on 3/13/06 and 4/28/06 have been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over LeNoue et al (U.S. Patent No. 5,328,123) in view Maehara (U.S. Patent No. 4,466,585).

LeNoue et al discloses a recording tape cartridge comprising a substantially rectangular case formed from an upper case and a lower case each having a wall 72 connected to a ceiling or floor plate (upper or lower wall). The case accommodates a single reel on which recording tape is wound. Border portions between the walls 72 and

Art Unit: 3654

the ceiling/floor plates are thinner than the plates. The depth of the grooves 74 forming the thinner border portions are 30% to 50% of the thickness of the ceiling or floor plate (col. 4, lines 9-12). Leader block 16 is seen to be an arc-shaped door slidably disposed within the case since it is arc-shaped, it slides into and out of the cartridge opening through which tape passes into and out of the cartridge, and it acts as a door to block the opening when the cartridge is not in use.

LeNoue et al does not disclose screw bosses on the upper and lower cases each having a convex portion and a concave portion which fit together.

Maehara teaches providing a recording tape cartridge with screw bosses 18, 20, 27, 29, 32, 34 having convex portions and concave portions that fit together.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the recording tape cartridge of LeNoue et al with screw bosses having convex portions and concave portions that fit together as taught by Maehara to secure the upper and lower case together while ensuring proper alignment of the cases before insertion of the screws.

It would have been further obvious to make border portions between the ceiling plate and outermost peripheral wall and the floor plate and outermost peripheral wall thinner than the peripheral wall similarly to the border portions associated with grooves 74 as taught by LeNoue et al to prevent deformation of the case during cooling at the corners between the outermost peripheral walls and the ceiling/floor plates.

With regard to claims 2, 7-10, 12, and 17-20, the border portions disclosed by LeNoue et al would be 70% to 50% of the thickness of the ceiling or floor plates based

on the disclosed groove depths of 30% to 50% of that thickness. Since the walls 72 are disclosed as being substantially the same thickness as the ceiling and floor plates, the same groove depth/border depths relative to the thickness of the walls would have obviously been appropriate.

Response to Arguments

Applicant's arguments filed 3/13/06 and 4/28/06 have been fully considered but they are not persuasive.


Applicant argues that neither LeNoue et al or Maehara suggests an arc-shaped slidable door. However, the leader block 16 of LeNoue et al acts as a door for closing the cartridge and is arc-shaped. The door is adjacent the peripheral walls of the cartridge. Modification of the cartridge case to provide thinner border portions between the peripheral walls and ceiling plate and between the peripheral walls and floor plate in accordance with the teachings of LeNoue et al would prevent excessive deformation of the cartridge that would interfere with the sliding movement of the leader block (door) 16 into an out of the cartridge to open and close the cartridge opening.

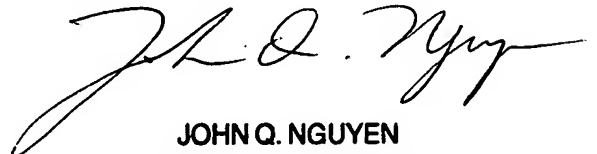
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Haugland whose telephone number is (571) 272-6945. The examiner can normally be reached on Monday - Thursday.

Art Unit: 3654

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (571) 272-6951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


sjh
5/24/06


JOHN Q. NGUYEN
PRIMARY EXAMINER